

IN THE MAGISTRATE COURT OF CLAYTON COUNTY
STATE OF GEORGIA

ORDER ON
DISPOSSESSORY PROCESS DURING JUDICIAL EMERGENCY

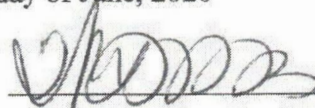
In response to the Order of the Supreme Court of Georgia declaring a judicial emergency and the temporary moratorium placed on dispossession actions provided for by the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), the Magistrate Court of Clayton County suspended processing dispossession cases. The Supreme Court of Georgia extended the judicial emergency until July 14, 2020, and now allows some of these cases to move forward, under strict guidelines for the safety of the citizens.

Magistrate Court is currently working to process dispossession cases. For cases that were in default (Defendant/Tenant failed to file an answer prior to March 13, 2020) a writ of possession may be granted upon the filing of an *Application for Dispossession Writ of Possession* (which is available on-line).

For cases filed after March 14, 2020 for non-payment of rent, Magistrate Court has established procedures for voluntary mediation and/or trial utilizing ZOOM teleconferencing ("ZOOM"). Magistrate Court has begun mailing packets to each Plaintiff/Landlord, who must follow the directions and complete a *CARES Act Affidavit* ("Affidavit") and a *Certification of Availability for Video Mediation and/or Trial* ("Certification") and file these forms with the Court before the Defendant/Tenant will be served.

Upon receipt of the completed "Affidavit" and "Certification" from the Plaintiff/Landlord, a copy of the dispossession affidavit, summons and Certification form will be forwarded to the Sheriff's Office for service upon the Defendant/Tenant. The Defendant/Tenant is required to file the completed Certification with an Answer. At that time, the Court will schedule the case for video mediation or video trial with each matter being decided on a case by case basis.

IT IS SO ORDERED on this 26th day of June, 2020



HON. WANDA L. DALLAS
Chief Judge
Magistrate Court of Clayton County